

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

JAN 27 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

CARLOS DANILO URIAS CRUZ,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-72876

Agency No. A72-140-418

MEMORANDUM*

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted January 23, 2006**

Before: T.G. NELSON, SILVERMAN and BYBEE, Circuit Judges.

Respondent's motion for summary disposition is granted because the questions raised by this petition for review are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982)

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

** This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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(per curiam) (stating standard). Petitioner does not dispute that he failed to file a motion to reconsider within 30 days after the Board of Immigration Appeals's dismissal of his appeal. *See* 8 C.F.R. § 1003.2(b)(2); *Martinez-Serrano v. INS*, 94 F.3d 1256, 1258 (9th Cir. 1996). Accordingly, this petition for review is denied.

PETITION FOR REVIEW DENIED.